

IN SENATE OF THE UNITED STATES.

JANUARY 17, 1848.

Submitted, and ordered to be printed.

Mr. JOHNSON, of Louisiana, made the following

REPORT:

[To accompany bill S. No. 87.]

*The Committee on Pensions, to whom was referred the petition of Abigail Garland, widow of Jacob Garland, deceased, praying for a pension, report:*

This claim was presented to the Senate at the last session of Congress, and a favorable report was made thereon. The evidence now presented being the same as then, and the committee being satisfied as to the correctness of the report then made, adopt it as a part of their report.

The committee report a bill for the relief of the petitioner.

IN SENATE OF THE UNITED STATES.—February 6, 1847.

Mr. UPHAM made the following report:

*The Committee on Pensions, to whom was referred the petition of Abigail Garland, widow of Jacob Garland, deceased, praying for a pension, report:*

That the petitioner claims a pension under the act of Congress passed July 4th, 1836, as widow of Jacob Garland, deceased, a soldier in the war of the Revolution. From the evidence accompanying the petition of the claimant, it appears that Jacob Garland, in the spring of 1775, enlisted into the army of the Revolution, and joined the company commanded by Captain Clough, Colonel Poor's regiment, and served until February, 1777, when he was honorably discharged. It also appears that the said Jacob Garland was a pensioner of the United States for services in the war of the Revolution, at the rate of \$ — per month, at the time of his death, in

April, 1843. The petitioner, in order to bring her case within the provisions of the act of July 4th, 1836, must prove, in addition to the service of her husband, 1st, that she is now unmarried; 2d, that her marriage with the said Jacob took place before the expiration of the last period of his service. From a careful examination of the evidence in the case, the committee are satisfied that the petitioner is unmarried, and that her marriage with the said Jacob took place at Sanbornton, New Hampshire, on the 13th day of May, 1776, and before the expiration of the last period of her said husband's service.

The committee deem it unnecessary to detail at length the evidence produced by the petitioner in support of her claim. It consists, 1st. Of a leaf from her old Bible, upon which appears the following entries, viz:

"Jacob Garland, born August 25th, 1754."

"Abigail Tilton, born August 3d, 1761."

"Jacob Garland married to Abigail Tilton May the 13th, 1776, both of Sanbornton, N. H."

"Jacob Garland, died April 28th, 1843."

2d. Of the deposition of George W. Garland, who deposes that he is the son of Jacob and Abigail Garland; that he is forty-seven years of age, and that he, more than thirty years ago, saw the afore-said leaf in his mother's old Bible, with all the entries now upon it, except that of his father's death. 3d. Of the deposition of Susanna Tolford, who deposes that she is the sister of the petitioner, and seventy-nine years of age, and that Jacob Garland came home from the army and married her sister Abigail, and that she was present at the wedding, which took place at Sanbornton, New Hampshire, in the spring of 1776. 4th. Of the depositions of Jonathan Perkins and David Blanchard, who depose that the said Jacob Garland came home to Sanbornton, on furlough, in the spring of 1776, and was, as they then understood, married to the said Abigail. Deponents were not present at the marriage, but common report said it had taken place. 5th. Of the depositions of Sally Johnson, Ezra Johnson, Henry Cary, and David Blanchard, who depose that the said Jacob and Abigail lived together and were reputed man and wife from May, 1776, to the time of the said Jacob's death, in April, 1843, and brought up a large family of children.

The children of the said Jacob and Abigail, as appears by the sworn affidavit of the said Abigail, were born as follows, to wit:

John Garland, born September 16th, 1776.

Deborah Garland, born September 21st, 1778.

Ruth Garland, born September 13th, 1780.

Jacob Garland, born February 21st, 1783.

Abigail Garland, born May 9th, 1785.

Sally Garland, born May 19th, 1787.

Naby Garland, born November 2d, 1788.

Jacob Garland, born July 7th, 1790.

Nathiel Garland, born September 30th, 1792.

Sally Garland, born June 6th, 1794.

George W. Garland, born June 16th, 1796.

Matilda Garland, born June 11th, 1799.

Statira Garland, born June 4th, 1805.

It further appears, from the evidence in the case, that the said Jacob was requested, in the spring of 1776, to return home and marry the said Abigail; and if her declaration on oath, corroborated as it is by the testimony of her sister, Mrs. Tolford, and the general understanding in the neighborhood, is to be relied upon, he did return and marry her before the expiration of the last period of his service. The birth of the petitioner's first child, in September, 1776, explains many of the circumstances which she says immediately preceded and attended her marriage.

The Commissioner of Pensions has passed upon this claim, and rejected it because the marriage of the claimant was not proved to his satisfaction. The committee have examined the evidence with great care, and cannot resist the conclusion that the petitioner was the lawful wife of the said Jacob, from the 13th of May, 1776, to the time of his death, in April, 1843, and therefore report a bill for her relief.

The Committee has examined the evidence which the witnesses have given and has concluded that the evidence is not sufficient to establish the charges against the accused. The Committee has also examined the evidence which the witnesses have given and has concluded that the evidence is not sufficient to establish the charges against the accused. The Committee has also examined the evidence which the witnesses have given and has concluded that the evidence is not sufficient to establish the charges against the accused.

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